HON'BLE SRI JUSTICE P.S.NARAYANA
AND
HON'BLE SRI JUSTICE NOOTY RAMAMOHANA RAO

WRIT PETITION No :8021 of 2007

DATED:09-05-2007

BETWEEN:

M.Babu Rao.

.....
PETITIONER

AND

The Station House Officer,
Bansilalpet Police Station,
Secunderabad,
Hyderabad & another.

.....RESPONDENTS

ORDER: (Per Hon'ble Sri Justice P.S.Narayana)

Telegram, dated 08-04-2007, sent by the petitioner to this Court had been taken as Writ Petition and by virtue of this Writ of Habeas Corpus a direction was prayed for directing the respondent herein to produce the son of the petitioner, namely China Siva Prasad, s/o M.Babu Rao, r/o Bansilalpet, Secunderabad before this Court who was illegally picked up on 06-04-2007 at 01.00 a.m., from the residence of the petitioner by the police in civil dress and it is also stated that the petitioner is apprehending danger to his life and liberty.

A counter affidavit is filed narrating several details. It is stated in paragraph No.4 of the counter affidavit that as the alleged detenu is moving freely and not in illegal custody of the police, he was duly produced before the Mandal Executive Magistrate-cum-Tahsildar, Secunderabad, within whose jurisdiction the alleged detenu has been residing, on 04-05-2007, to record his statement. It is also pleaded in the same paragraph that

on such production of the alleged detenu before the Mandal Executive Magistrate-cum-Tahsildar, Secunderabad the alleged detenue categorically stated that he is working as Welder and on 04-04-2007 he along with his friends had been to Medak to attend a marriage and returned to Hyderabad only on 09-04-2007. The factum of his going to Medak has not been duly informed to his parents. Several other factual details also had been narrated and specific stand was taken that the alleged detenu was not taken into custody. In view of the same, no further orders need be passed in this Writ Petition.

Accordingly, the Writ Petition is closed.

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P.S.NARAYANA,J

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NOOTY RAMAMOHANA RAO, J

09th May, 2007
Tsy/Ssr